

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

Steven George Sperling

Defendant(s)

Case No.

EP-19-M-7370-LFC

FILED

JUL 19 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY AC
DEPUTY CLERK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 18, 2019 in the county of El Paso in the
Western District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 18 U.S.C. § 2251(a)

Production of Child Pornography

This criminal complaint is based on these facts:

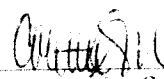
See attached affidavit.

☒ Continued on the attached sheet.

- ☐ Sworn to before me and signed in my presence.
☐ Sworn to telephonically and signed electronically.

Date:

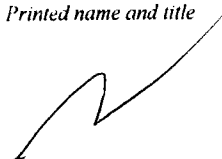
7/19/19

City and state: El Paso, Texas

Complainant's signature

Colette Nicole Baumle, Special Agent

Printed name and title



Judge's signature

Robert F. Castaneda, U.S. Magistrate Judge

Printed name and title

Oath Telephonically Sworn
At 7:17 PM
Fed.R.Crim.P.4.1(b)(2)(A)

PROBABLE CAUSE STATEMENT

1. I, Colette Nicole Baumle, hereinafter referred to as Complainant, am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), I am currently assigned to the El Paso Field Office - Violent Crimes Against Children (VCAC) Squad, and am responsible for investigations involving the production, importation, advertising, receipt, and distribution of child pornography which occur in the Western District of Texas. In addition, Affiant is responsible for various child exploitation investigations, to include but not limited to: child prostitution, online solicitation of minors; receipt, distribution, and production of child pornography, and enticement of minors. Among my duties on the VCAC Squad is to conduct investigations pursuant to the FBI's Innocent Images National Initiative (IINI), which focuses on crimes where computers and the Internet are used in the sexual exploitation of children. In conducting such investigations, I have gained firsthand knowledge and experience by working with other SAs and Child Exploitation Task Force Officers. I have received basic and on the job training in the investigation of cases involving the sexual exploitation of children.

2. On July 16, 2019, FBI Agents from the El Paso Division were notified by FBI Agents from Washington Field Office (WFO) that an individual in El Paso, Texas was purportedly producing and trading child pornography of a

minor child.

3. On Monday July 15, 2019 at approximately 12:00 p.m., Eastern Standard Time (EST), a Task Force Officer (TFO) assigned to FBI WFO was acting in an undercover capacity as part of the Metropolitan Police Department-Federal Bureau of Investigation ("MPD-FBI") Child Exploitation Task force. While acting in his/her undercover capacity the Undercover, herein referred to as UC, utilized a mobile messaging application and joined a public chat group hosted by that mobile messaging application.

4. This particular messaging application is a free mobile application that permits users to send text messages and other content, including videos and images. The messaging application also allows members to create groups that allow users to communicate as a group and send pictures and videos. Based on the UC's experience with this particular chat room, the UC knew this is a room wherein user go to discuss incest, to include sexual relations with children, and a place where people go to trade videos and images, to include child erotica and child pornography.

5. The UC observed a messaging application user using a unique alphanumeric handle, with a corresponding display name consisting of the same alphanumeric arrangement. This user entered the room as a new user at 12:00 P.M. EST. On July 15, 2019, at 12:02 p.m. EST, the UC initiated a private chat with this individual, later identified as **STEVEN GEORGE SPERLING**, herein

referred to as **SPERLING**

6. During the course of the "chat", **SPERLING** identified himself as a 35-year-old male residing in Arizona. **SPERLING** informed the UC that he had access to a two-year-old female child. **SPERLING** stated that this child was home with him. The UC asked **SPERLING** to take a live picture of the girl's bedroom to verify that he in fact had access to her. **SPERLING** sent the UC a camera image depicting a bedroom with a baby's crib in the corner of the room. The image appears to be taken from the bed; the bedding portrayed in the image consisted of white sheets with red stars and blue stripes. The UC later asked **SPERLING** to hold three fingers next to the child's head to verify that **SPERLING** was with an actual child. **SPERLING** sent the UC a live camera image of what appeared to be an adult male holding up three fingers near the head of what appeared to be a toddler.

7. During the course of the "chat", **SPERLING** stated he wanted to play with this child but, "its just fantasy". Based on my training and experience, I know that the word "play" when used by individuals who are interested in the making/trading/possessing of child pornography, can often refer to sexual contact with a child.

8. **SPERLING** and the UC continued to engage in conversation in which they discussed trading images of minor children. **SPERLING** stated that he had never taken pictures of a child before and was not sure what kind of pictures he was going to take of her (the child referenced above). The chat ended on July 15, 2019 at 1:45 p.m. EST and resumed on July 15,

2019 at 2:20 p.m. EST.

9. During the break in the "chat" the UC communicated with another messaging application user, hereinafter "USER 1", who was in the same chat group with **SPERLING**. "USER 1" informed the UC that **SPERLING** sent "USER 1" an image and a video of a very young child's vagina. "USER 1" then sent the UC a topless image of a young female child that **SPERLING** had sent "USER 1". "USER 1" stated that "USER 1" was unable to save the pictures of the child that **SPERLING** sent because "USER 1" had technical issues with the messaging application and had to create another messaging application user name.

10. After this interaction with "USER 1", the UC initiated contact with **SPERLING** and asked him if he had previously been chatting with "USER 1". **SPERLING** confirmed that he sent "USER 1" a picture and a video. The UC asked **SPERLING** if he could see what he had sent "USER 1". **SPERLING** then sent an additional image and video of the child that he previously sent to "USER 1". The images **SPERLING** sent to the UC are described as follows:

- a. The first photograph **SPERLING** sent depicts a bedroom in which a white crib is visible in the corner of the room. The image appears to be taken from the viewpoint of bed; the bedding consisting of white sheets with red stars and blue stripes were visible in the image. Straight ahead is a door which appears to lead into a bathroom

- b. The second photographs **SPERLING** sent depicts the head of what appears to be a toddler; who has brown hair. A hand that appear to belong to an adult male is visible above the child's head holding up three fingers; pointer, middle, and ring finger.
 - c. The third photograph **SPERLING** sent depicts a bare chested child laying down on her back. Half of the child's face is visible, from below the nose. The child is laying on the same bedding as depicted in the first photograph i.e., white sheets with red stars and blue stripes.
 - d. The fourth photograph sent depicts a completely nude pre-pubescent female laying on her back. The female's legs are slightly spread and the camera focuses on her bare vagina. She is laying on top of the white sheets with red stars and blue stripes and is gripping the bedding in her hand.
 - e. The fifth image sent is a video which is approximately four seconds in length. The video depicts a nude pre-pubescent female who appears to be laying on her side with her legs slightly bent, only the bottom half of her body is depicted. Visible in the video is what appears to be the bare upper thigh of an adult male. What appears to be an adult male hand grabs the back of the child's thigh and slightly pulls apart her legs to expose her bare vagina. The child was laying on the bedding of white sheets with red stars and blue stripes. The video ends.
11. In or around July 15, 2019, FBI personnel learned that the suspect

messaging application user using a unique alphanumeric handle referenced above had a registration e-mail containing the words "stevensperling", a registration date of 12/31/2018, and was linked to a Samsung Galaxy S10+ cellular telephone model SM-G975u.

12. Records checks on **SPERLING** were conducted, which indicated he is currently an Active Duty soldier stationed at Fort Bliss in El Paso, Texas. **SPERLING** is married with six children and maintains a residence on Fort Bliss, Texas, which is in the Western District of Texas.

13. On July 18, 2019, a search warrant was executed at **SPERLING's** residence. **SPERLING** was transported to the Military Police station – Directorate of Emergency Services wherein **SPERLING**, was read his Miranda rights and chose to waive his rights and agreed to provide a statement without an attorney present. **SPERLING** admitted he had previously seen child pornography; the pornography depicted children as young as "babies" and up to 18-years old. In some of the images the children were wearing clothing and others they were completely nude.

14. After initially denying he had taken any photographs of a child, **SPERLING** admitted approximately two days ago, on July 16, 2019, in the morning hours, in his house located on Fort Bliss, he had taken and sent a photograph of a minor child's chest. **SPERLING** later admitted he had taken and sent a photograph of the "bottom part" of the same child. When asked if the "bottom part" of the child was the child's vagina **SPERLING** stated

“yes”. Agents are aware that this child is approximately 2 years old. **SPERLING** stated that he used his cellular telephone, a Samsung S10 to take the photographs of the child. Samsung telephones are manufactured in South Korea.

15. **SPERLING** further admitted that other users sent **SPERLING** images of child pornography over the private messages via messaging applications.

16. Based upon the above information, the Complainant has probable cause to believe that on July 15, 2019, **STEVEN GEORGE SPERLING** committed the offense of production of child pornography, in the Western District of Texas, in violation of Title 18, United States Code, Section 2251(a).